



## **AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JULY 19, 2006**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: SUP-13525 - APPLICANT: VEGAS VALLEY TREATMENT CENTER - OWNER: MRZ MANAGEMENT, LLC**

---

### **\*\* CONDITIONS \*\***

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

#### **Planning and Development**

1. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. The business shall be reviewed one-year from the date of issuance of a business license in a public hearing by City Council.
3. Hours of operation shall be Monday through Saturday, 6:00 a.m. to 3:00 p.m.
4. The premises shall be maintained at all times. Failure to properly maintain the premises may be grounds for revocation of a business license.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request for a Special Use Permit for a proposed Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse at 1835 East Charleston Boulevard, Suite #101.

**EXECUTIVE SUMMARY**

The proposal would allow a drug treatment center on the subject property. Clients are referred to the center by word of mouth or other counselors, not by a court of law. Clients seeking treatment must undergo a lengthy screening process. It is expected that as many as 300 individuals could be treated within a month, but this number is dependent on the needs of each individual client. The facility would be licensed by the State of Nevada and will be staffed by licensed medical professionals and counselors. The facility would operate daily from early morning to late afternoon, except Sundays and holidays. The site is parking-impaired, but the number of spaces currently on site is adequate to serve the needs of the current uses, which also include additional offices and a furniture store. The recommendation is therefore for approval.

**BACKGROUND INFORMATION**

***A) Related Actions***

06/22/06      The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #35/ss).

***B) Pre-Application Meeting***

04/04/06      Submittal requirements for a Special Use Permit application were discussed. On-site parking was an issue, as only 10 spaces are available for the entire building. A Medical Office use was considered for the parking ratio.

***C) Neighborhood Meetings***

A neighborhood meeting is not required as part of this application request, nor was one held.

**DETAILS OF APPLICATION REQUEST**

***A) Site Area***

Net Acres: 0.19

**B) Existing Land Use**

Subject Property: Office, Furniture Store  
 North: Apartments  
 South: Restaurant  
 East: Office  
 West: Office

**C) Planned Land Use**

Subject Property: C (Commercial Downtown Redevelopment Area)  
 North: MXU (Mixed Use Downtown Redevelopment Area)  
 South: C (Commercial Downtown Redevelopment Area)  
 East: C (Commercial Downtown Redevelopment Area)  
 West: C (Commercial Downtown Redevelopment Area)

**D) Existing Zoning**

Subject Property: C-1 (Limited Commercial)  
 North: R-4 (High Density Residential)  
 South: C-1 (Limited Commercial)  
 East: C-1 (Limited Commercial)  
 West: C-1 (Limited Commercial)

**E) General Plan Compliance**

The subject site is designated C (Commercial) on the Downtown Redevelopment Area Map and the Southeast Sector (Revitalization Area) Map of the Master Plan. The existing C-1 (Limited Commercial) zoning district on the subject site conforms to the Commercial classification. A Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse is a permitted use in the C-1 district with approval of a Special Use Permit.

<i><b>SPECIAL DISTRICTS/ZONES</b></i>	<b>Yes</b>	<b>No</b>
<b>Special Area Plan</b>	<b>X</b>	
Redevelopment Plan Area	<b>X</b>	
<b>Special Overlay District</b>		<b>X</b>
<b>Trails</b>		<b>X</b>
<b>Rural Preservation Overlay District</b>		<b>X</b>
<b>County/North Las Vegas/HOA Notification</b>		<b>X</b>
<b>Development Impact Notification Assessment</b>		<b>X</b>
<b>Project of Regional Significance</b>		<b>X</b>

**Downtown Redevelopment Area**

The subject site is designated C (Commercial) on the map of the Plan area. Uses that conform to the Office, Service Commercial and General Commercial categories of the Citys master plan also conform to the C (Commercial) designation.

**ANALYSIS**

**A) Zoning Code Compliance**

**A1) Parking and Traffic Standards**

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Furniture Store	2,400 SF	1/500 SF GFA	5			
Office	3,100 SF	1/300 SF	11			
Interior Storage	80 SF	1/2,500 SF	1			
Drug & Alcohol Treatment Facility <i>(proposed)</i>	1,162 SF	1/300 SF	4			
Subtotal	6,742 SF		20	1	9	1
<b>TOTAL</b>			<b>21</b>		<b>10</b>	

Under current Zoning Code requirements, 21 on-site parking spaces are required, given the current uses.

According to Assessors records, the subject building was constructed in 1966. Ten parking spaces, including one handicap-accessible space, are provided on this site. It is not known what the original uses were in this building when constructed, but it can be assumed that parking requirements have increased since that time. As a parking-impaired development, Title 19.10 requires the provision of additional spaces only if a more intense use replaces an existing use on the site. From the information collected on the proposed treatment center, it appears that this use will not be more intense than the current office use. Therefore, the 10 spaces provided will be sufficient and meet the requirements of Title 19.10.010.C pertaining to parking-impaired developments.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse use.

**B) *General Analysis and Discussion***

•Zoning

The site is located in the C-1 (Limited Commercial) Zoning District. A Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse is a permitted use in this district with approval of a Special Use Permit.

•Use

The proposed facility would be located in a 1,162 square-foot office within an existing building. The facility proposes to provide treatment to those individuals freely seeking rehabilitation from drug addiction.

The treatment center will be staffed by a licensed doctor, licensed nurses, and licensed counselors. State licensing is pending the approval of the use and a business license. The center receives new clients by word of mouth and referrals from other clients. Clients seeking help must complete a 30+ page history prior to acceptance for treatment. Those individuals who are court-ordered for treatment are rejected and referred to another treatment center.

The applicant expects to serve an estimated 200-300 clients per month, depending on the individual needs and the amount of counseling required per client. Based on this information, the mean number of clients per day is approximately 7-10 persons.

Proposed hours of operation are Monday through Saturday, 6:00 a.m. to 3:00 p.m. The treatment center would not be open on Sundays or holidays.

•Conditions

There are no base conditions for approval of a Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse. Approval is determined on a case-by-case basis. The applicant is expected to keep the proposed hours of operation; modification to the hours will be subject to public hearing as a separate item.

## **FINDINGS**

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

- 1. The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

The proposed Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse use will be harmonious and compatible with the abutting office uses and is separated from the rear side of an apartment building by a 20-foot alley. The impact to residential neighborhoods in the area should be minimal, as the centers daily clientele will be small, and the only activity near any residences would be in the rear parking lot. All treatment will take place within an enclosed building.

- 2. The subject site is physically suitable for the type and intensity of land use proposed.**

The subject site is parking-impaired; however, the proposed use is deemed not to be any more intense than the current office use. Therefore, the existing number of parking spaces will be adequate to accommodate the proposed use.

- 3. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

Charleston Boulevard, a 100-foot Primary Arterial as designated on the Master Plan of Streets and Highways, provides access to the property. A rear alley extending from Bruce Street to the west also provides access to additional parking. These roadways are sufficient to meet the requirements of the proposed use.

- 4. Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

The subject site will be subject to regular inspection and will therefore not compromise the public health, safety, and general welfare, or the overall objectives of the General Plan.

**PLANNING COMMISSION ACTION**

The Planning Commission added condition #2 as shown.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 16

**ASSEMBLY DISTRICT** 9

**SENATE DISTRICT** 10

**NOTICES MAILED** 157 by City Clerk

**APPROVALS** 0

**PROTESTS** 0